

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

JOE H. BRYANT, JR.

PLAINTIFF

VS.

CIVIL ACTION NO. 3:05CV179LS

**MILITARY DEPARTMENT OF THE STATE
OF MISSISSIPPI, FRANKLIN E. CHALK,
FREDERICK D. FEINSTEIN, ROY A. GRAHAM,
BILLY JOE GRESSETT, DONALD E. JONES,
LANGFORD L. KNIGHT, F. GREGORY MALTA,
WILLIAM F. PARTEN, ROBERT E. PIERCE,
ROGER E. SHIRLEY, CHARLES F. STEED,
AARON K. WILSON and THOMAS TEMPLE**

DEFENDANTS

ORDER

This matter came before the court on the Defendant F. Gregory Malta's Motion to Compel Plaintiff to Execute an Authorization for the Release of Protected Health Care Information and for Extension of Discovery Deadline and Motion for Award of Discovery Sanctions. The Motion was filed on February 7, 2006, and, as of this date, there has been no response filed with the court. The Motion will be granted, insofar as it requests an order compelling the Plaintiff to execute a medical authorization. The request to extend the deadline for this Defendant to designate experts will also be granted, but will be set on a date certain, rather than contingent upon the receipt of information pursuant to the release. The request for sanctions will be denied.

IT IS, THEREFORE, ORDERED that the Motion to Compel Plaintiff to Execute an Authorization for the Release of Protected Health Care Information and for Extension of Discovery Deadline and Motion for Award of Discovery Sanctions is hereby **granted** in part and **denied** in part, as follows:

1. The Plaintiff shall execute and return the HIPAA compliant medical authorization earlier provided by this Defendant on or before March 14, 2006.
2. The deadline for this Defendant to designate experts is hereby extended to April 24, 2006.
3. The request for sanctions is denied.

IT IS SO ORDERED, this the 3rd day of March, 2006.

S/James C. Sumner

UNITED STATES MAGISTRATE JUDGE